

1 GALTON & HELM LLP
DANIEL W. MAGUIRE, State Bar No. 120002
2 EDITH S. SHEA, State Bar No. 177578
500 South Grand Avenue, Suite 1200
3 Los Angeles, California 90071-2624
Telephone: (213) 629-8800
4 Facsimile: (213) 629-0037
E-Mail: dmaguire@galtonhelm.com
5 eshea@galtonhelm.com

6 Attorneys for Defendant HARTFORD LIFE AND ACCIDENT INSURANCE
COMPANY

8 UNITED STATES DISTRICT COURT

9 NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

10
11 ELLEN THIVIERGE,

12 Plaintiff,

13 vs.

14 HARTFORD LIFE AND ACCIDENT
INSURANCE COMPANY AS
15 ADMINISTRATOR AND
FIDUCIARY OF THE MILLS
16 PENINSULA HOSPITALS GROUP
WELFARE PLAN NUMBER 506 and
17 THE MILLS PENINSULA
HOSPITALS GROUP WELFARE
18 PLAN NUMBER 506,

19 Defendants.

CASE NO. C 05-0163 CW

**STIPULATION FOR
CONTINUANCE OF CASE
MANAGEMENT ORDER**

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Case No. C 05-0163 CW
STIPULATION FOR CONTINUANCE OF CASE
MANAGEMENT ORDER

Plaintiff Ellen Thivierge and Defendants Hartford Life and Accident Insurance Company and The Mills Peninsula Hospitals Group Welfare Benefit Plan Number 506 hereby stipulate and request that the dates set forth in the Case Management Order be continued for approximately thirty days. Specifically, the parties request that the last day for completion of mediation be continued from September 29, 2005 to October 29, 2005. The parties also request that the last day for case dispositive motions to be heard be continued from December 2, 2005 to January 13, 2006 (with Plaintiff to file an opening brief by November 25, 2005, Defendant to file an opposition/cross-motion by December 9, 2005, Plaintiff to file a reply/opposition by December 16, 2005, and Defendant to file a surreply by December 23, 2005).

The continuance is requested to accommodate a conflict in the schedule of the party representative who will attend the mediation in this case on behalf of Defendant Hartford. That party representative will travel to San Francisco from Connecticut to attend the mediation and has had a scheduling conflict arise for the date when the mediation is currently scheduled – September 26, 2005. The parties have therefore agreed to reschedule the mediation for October 25, 2005 (the next date available for all parties and counsel) and request this continuance so that the parties can attempt to resolve this case via mediation, prior to filing cross-motions for judgment pursuant to FRCP 52.

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GALTON & HELM LLP
500 SOUTH GRAND AVENUE, SUITE 1200
LOS ANGELES, CALIFORNIA 90071-2624
TELEPHONE: (213) 629-8800

Accordingly, the parties request that the last day for completion of mediation be continued from September 29, 2005 to October 29, 2005 and that the last day for hearing of case dispositive motions be continued from December 2, 2005 to January 13, 2006 (with briefing dates to be continued accordingly, as set forth above).

DATED: September 14, 2005 ROBOOSTOFF & KALKIN
SCOTT KALKIN

By: /s/ Scott Kalkin
SCOTT KALKIN
Attorneys for Plaintiff ELLEN THIVIERGE

DATED: September 14, 2005 GALTON & HELM LLP
DANIEL W. MAGUIRE
EDITH S. SHEA

By: /s/ Edith S. Shea
EDITH S. SHEA
Attorneys for Defendant HARTFORD LIFE
AND ACCIDENT INSURANCE COMPANY

DATED: September 12, 2005 MORGAN, LEWIS & BOCKIUS LLP
D. WARD KALLSTROM
DONALD P. SULLIVAN

By: /s/ Donald P. Sullivan
DONALD P. SULLIVAN
Attorneys for Defendant MILLS PENINSULA
HOSPITALS GROUP WELFARE PLAN
NUMBER 506

ORDER

IT IS SO ORDERED.

DATED: 9/19/05 /s/ CLAUDIA WILKEN
UNITED STATES DISTRICT COURT JUDGE